

REQUEST FOR JUDICIAL INTERVENTION

Supreme Court Orange **2007 6035**
 COURT COUNTY INDEX NO. DATE PURCHASED

PLAINTIFF(S):

City of Middletown, et al.

DEFENDANT(S):

Pencor-Masada OxyNol, LLC

For Clerk Only

IAS entry date

Judge Assigned

RJI Date

Date issue joined: _____ Bill of particulars served (Y/N): ☐ Yes ☒ NoNATURE OF JUDICIAL INTERVENTION (check ONE box only AND enter information)

- | | |
|---|--|
| <input type="checkbox"/> Request for preliminary conference | <input type="checkbox"/> Notice of petition (return date: _____)
Relief sought _____ |
| <input type="checkbox"/> Note of issue and/or certificate of readiness | <input type="checkbox"/> Notice of medical or dental malpractice action (specify: _____) |
| <input type="checkbox"/> Notice of motion (return date: _____)
Relief sought _____ | <input type="checkbox"/> Statement of net worth |
| <input checked="" type="checkbox"/> Order to show cause
(clerk enter return date: _____)
Relief sought <u>Stay of Arbitration</u> | <input type="checkbox"/> Writ of habeas corpus |
| <input type="checkbox"/> Other ex parte application (specify: _____) | <input type="checkbox"/> Other (specify: _____) |

NATURE OF ACTION OR PROCEEDING (Check ONE box only)MATRIMONIAL

- ☐ Contested -CM
☐ Uncontested -UM

COMMERCIAL

- ☐ Contract -CONT
☐ Corporate -CORP
☐ Insurance (where insurer is a party, except arbitration) -INS
☐ UCC (including sales, negotiable instruments) -UCC
☐ *Other Commercial -OC

REAL PROPERTY

- ☐ Tax Certiorari -TAX
☐ Foreclosure -FOR
☐ Condemnation -COND
☐ Landlord/Tenant -LT
☐ *Other Real Property -ORP

OTHER MATTERS

- ☐ * -OTH

TORTSMalpractice

- ☐ Medical/Podiatric -MM
☐ Dental -DM
☐ *Other Professional -OPM

- ☐ Motor Vehicle -MV
☐ *Products Liability -PL

- ☐ Environmental -EN
☐ Asbestos -ASB
☐ Breast Implant -BI
☐ *Other Negligence -OTN

- ☐ *Other Tort (including intentional) -OT

SPECIAL PROCEEDINGS

- ☒ Art. 75 (Arbitration) -ART75
☐ Art. 77 (Trusts) -ART77
☐ Art. 78 -ART78
☐ Election Law -ELEC
☐ Guardianship (MHL Art. 81) -GUARD81
☐ *Other Mental Hygiene -MHYG
☐ *Other Special Proceeding -OSP

ORIGINAL FILED
 FILED
 ORANGE COUNTY CLERK
 2007 JUL -9 A 10:22

Check "YES" or "NO" for each of the following questions:

Is this action/proceeding against a

YES NO

[X] [] Municipality:

(Specify City of Middletown)

YES NO

[] [] Public Authority:

(Specify _____)

YES NO

[X] [] Does this action/proceeding seek equitable relief?

[] [X] Does this action/proceeding seek recovery for personal injury?

[] [X] Does this action/proceeding seek recovery for property damage?

Pre-Note Time Frames:

(This applies to all cases except contested matrimonials and tax certiorari cases)

Estimated time period for case to be ready for trial (from filing of RJ1 to filing of Note of Issue):

☐ Expedited: 0-8 months☒ Standard: 9-12 months☐ Complex: 13-15 monthsContested Matrimonial Cases Only: (Check and give date)

Has summons been served?

☐ No☐ Yes, Date _____Was a Notice of No Necessity filed? ☐ No☐ Yes, Date _____ATTORNEY(S) FOR PLAINTIFF(S):

<u>Self Rep.*</u>	<u>Name</u>	<u>Address</u>	<u>Phone #</u>
	Michael G. Murphy, Esq.	Beveridge & Diamond, P.C.	212-702-5400
<input type="checkbox"/>	Christopher J. McKenzie, Esq.	477 Madison Ave., 15th FL. New York, NY 10022	
<input type="checkbox"/>	Zackary D. Knaub, Esq.		

ATTORNEY(S) FOR DEFENDANT(S):

<u>Self Rep.*</u>	<u>Name</u>	<u>Address</u>	<u>Phone #</u>
<input type="checkbox"/>			
<input type="checkbox"/>			

*Self Represented: parties representing themselves, without an attorney, should check the "Self Rep." box and enter their name, address, and phone # in the space provided above for attorneys.

INSURANCE CARRIERS:RELATED CASES: (IF NONE, write "NONE" below)

<u>Title</u>	<u>Index #</u>	<u>Court</u>	<u>Nature of Relationship</u>
None			

I AFFIRM UNDER PENALTY OF PERJURY THAT, TO MY KNOWLEDGE, OTHER THAN AS NOTED ABOVE, THERE ARE AND HAVE BEEN NO RELATED ACTIONS OR PROCEEDINGS, NOR HAS A REQUEST FOR JUDICIAL INTERVENTION PREVIOUSLY BEEN FILED IN THIS ACTION OR PROCEEDING.

Dated: July 6, 2007

(SIGNATURE)

Michael G. Murphy, Esq.

(PRINT OR TYPE NAME)

Petitioners

ATTORNEY FOR

ATTACH RIDER SHEET IF NECESSARY TO PROVIDE REQUIRED INFORMATION